

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Schwarz et al.

Serial No. 09/928,796

Filed: August 13, 2001

Confirmation No. 8406

Group Art Unit: 1635

Examiner: James Schultz

For: METHODS OF FACILITATING VASCULAR GROWTH

August 19, 2004

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

STATEMENT IN SUPPORT OF FILING A SUBSTITUTE SEQUENCE LISTING UNDER 37 CFR § 1.821(f)

Sir:

I hereby state that the content of the paper and computer readable copies of the Substitute Sequence listing, submitted concurrently herewith in accordance with 37 CFR §1.821(c) and (e), is the same. I also hereby state as required by 37 CFR § 1.821(h) that the paper and computer readable copies contain no new matter, nor do they go beyond the disclosure of the application as filed.

Respectfully submitted,

Shawna Cannon Lemon Registration No. 53,888

Myers Bigel Sibley & Sajovec, P.A.

P. O. Box 37428

Raleigh, North Carolina 27627

Telephone: (919) 854-1400 Facsimile: (919) 854-1401 Customer No. 20792

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450 on August 19, 2004.

Susan E. Freedman

Date of Signature: August 19, 2004